

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Larry I. Benowitz

Application No.: 09/656,915

PATENT NO: 7,172,871

Group No.: 1647

Filed: September 7, 2000

Examiner: NICHOLS, Christopher J.

For: METHODS AND COMPOSITIONS FOR MODULATING AXONAL
OUTGROWTH OF CENTRAL NERVOUS SYSTEM NEURONS

MAIL STOP PETITION

Director of the US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

**PETITION FOR CORRECTION OF INVENTORSHIP IN PATENT
UNDER 35 USC §256 AND REQUEST FOR CERTIFICATE OF CORRECTION UNDER
37 CFR §1.324**

1. This Petition and Request is to correct the incorrect original naming of inventor(s) in issued Patent No. 7,172,871.
2. Applicants request addition of inventor Carleen Ann Irwin to issued Patent No. 7,172,871 under 35 USC §256 by way of Certificate of Correction under 37 CFR §1.324.
3. Applicants submit the following attachments with respect to this request:
 - (a) Statement of Non-Deceptive Intent, Carleen Ann Irwin, as required by 37 CFR §1.324(b)(1);
 - (b) A Statement of Agreement to Change of Inventorship from currently named inventor, Larry Benowitz, as required by 37 CFR §1.324(b)(2);
 - (c) Statement of Assent of Assignee Children's Medical Center Corporation to Addition of Inventor as required by 37 CFR 1.324 (b)(3), and accompanying Statement under 37 CFR §3.73(b) Establishing Right of Assignee to Take Action;

APPLICANT: Larry I. Benowitz
SERIAL NO.: 09/656,915 EXAMINER: NICHOLS, Christopher J.
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4. Fee Payment (37 CFR §1.20(b))

The fee required by 37 CFR §1.20(b) is to be paid as follows:

The Commissioner is authorized to charge the NIXON PEABODY LLP Deposit Account No. 50-0850 in the amount of \$130.00. Any fee deficiencies or overpayments may be charged/credited to said account. A duplicate copy of this paper is submitted herewith.

Date: May 13, 2008

/Shayne Y. Huff/

David S. Resnick (Reg. No. 34,235)
Shayne Y. Huff (Reg. No. 44,784)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110-2131
617-345-6057

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**STATEMENT OF NON-DECEPTIVE INTENT OF ADDED INVENTOR
UNDER 37 CFR §1.324(b)(1)**

I, Carleen Ann Irwin, the person who is being added as an inventor to Patent No. 7,172,871 by the Petition for Correction of Inventorship being submitted concurrently herewith do hereby declare that the inventorship error in failing to include my name as an inventor on Patent No. 7,172,871 occurred without any deceptive intention on my part.

4-10-08
Date


Carleen Ann Irwin, Inventor

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**STATEMENT OF AGREEMENT TO CHANGE OF INVENTORSHIP
UNDER 37 C.F.R. § 1.324(b)(2)**

I, Larry I. Benowitz, the originally named inventor in Patent No. 7,172,871, hereby declare that I agree with the addition of Carleen Ann Irwin as an inventor on Patent No. 7,172,871, as requested in the Petition for Correction of Inventorship being submitted concurrently herewith.

Date

4/10/08

Larry Benowitz
Larry I. Benowitz, Inventor

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STATEMENT OF ASSENT OF ASSIGNEE TO ADDITION OF INVENTOR

Name of Assignee: Children's Medical Center Corporation

Address of Assignee: 55 Shattuck Street
Boston, Massachusetts 02115

Children's Medical Center Corporation, Assignee of US Patent No. 7,172,871 hereby assents to the correction of inventorship of said patent to name Carleen Ann Irwin as an additional inventor.

An assignment from the inventor for Application Serial No. 09/656,915 was recorded in the PTO on 1/04/2002 at Reel/Frame 012437/0275. A copy of the recorded assignment is attached hereto. Application Serial No. 09/656,915 is now Patent No: 7,172,871.

RIGHT OF ASSIGNEE TO TAKE ACTION

A "STATEMENT UNDER 37 CFR. § 3.73(b)" is attached.

Date

4/22/08

Signature

Erik Halvorsen, Ph.D.

Director of Technology and Business Development

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STATEMENT UNDER 37 CFR §3.73(b)--
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Children's Medical Center Corporation, as assignee of the entire right, title and interest of US Patent No. 7,172,871 hereby seeks to take action in the U.S. PTO in this matter.

IDENTIFICATION OF ASSIGNEE

Name of assignee: Children's Medical Center Corporation

Type of assignee: Corporation

PERSON AUTHORIZED TO SIGN

Name of person authorized to sign on behalf of assignee: Erik Halvorsen, Ph.D.

Title of person authorized to sign: Director of Technology and Business Development

APPLICANT: Larry I. Benowitz
SERIAL NO.: 09/656,915 EXAMINER: NICHOLS, Christopher J.
PATENT NO: 7,172,871
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BASIS OF ASSIGNEE'S INTEREST

Ownership by Children's Medical Center Corporation of US Patent No. 7,172,871 is established as follows:

An assignment from the inventors of the matter identified above, which was recorded in the U.S. PTO on 1/04/2002 at Reel/Frame 012437/0275.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

Copies of the assignment in the chain of title are attached as follows:

Assignment of Dr. Larry I. Benowitz to Children's Medical Center Corporation

4/22/08
Date

E. Halvorsen
Erik Halvorsen, Ph.D.
Director of Technology and Business
Development

(617) 919-3019
Telephone Number

ASSIGNMENT

I, Larry I. Benowitz of Newton, MA, in consideration of One Dollar and other valuable consideration paid to me by

Children's Medical Center Corporation

a corporation of Massachusetts, having its principal place of business at 300 Longwood Avenue, Boston, MA 02115, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

Children's Medical Center Corporation

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

METHODS AND COMPOSITIONS FOR MODULATING AXONAL OUTGROWTH
OF CENTRAL NERVOUS SYSTEM NEURONS

described in an application

____ executed by us of even date herewith and about to be filed

X Serial No. 09/656,915, filed on September 7, 2000

in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And I agree, for myself and my executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 9 day of October, 2001.

By: Larry Benowitz
Larry I. Benowitz

Commonwealth of Massachusetts)
)
County of Suffolk)
)ss

Then personally appeared the above named Larry I. Benowitz and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 9th day of October, 2001.

Gloria Garrison
Notary Public

My commission expires: 6/20/08

Gloria Garrison
Notary Public
Commonwealth of Massachusetts
My Commission Expires 06/20/2008